



**Service of Process
Transmittal**

12/14/2016

CT Log Number 530340039

TO: Registered Agent Department
Business Filings Incorporated (Recipient Account Only)
8020 Excelsior Dr Ste 200
Madison, WI 53717-1998

RE: Process Served in Washington

FOR: Stellar Recovery, Inc. (Domestic State: FL)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: ROSE MARIE ROBISON, Pltf. vs. STELLAR RECOVERY, INC., etc., et al., Dfts.

DOCUMENT(S) SERVED: Summons, Complaint

COURT/AGENCY: Clark County Superior Court, WA
Case # 162025190

NATURE OF ACTION: Fair debt collection practices act

ON WHOM PROCESS WAS SERVED: Business Filings Incorporated, Olympia, WA

DATE AND HOUR OF SERVICE: By Process Server on 12/14/2016 at 10:55

JURISDICTION SERVED : Washington

APPEARANCE OR ANSWER DUE: Within 20 days after the service of this Summons

ATTORNEY(S) / SENDER(S): William D. Robison
Caron, Colven, Robison & Shafton, P.S.
900 Washington Street, Ste. 1000
Vancouver, WA 98660
360-699-3001

REMARKS: The documents received have been modified to reflect the name of the entity being served.

ACTION ITEMS: CT has retained the current log, Retain Date: 12/14/2016, Expected Purge Date: 12/19/2016

Image SOP

Email Notification, Registered Agent Department ctsop@bizfilings.com

SIGNED: Business Filings Incorporated
ADDRESS: 505 Union Ave SE Ste 120
Olympia, WA 98501-1474
TELEPHONE: 360-357-6794

**COPY
ORIGINAL FILED**
DEC 13 2016
Scott G. Weber, Clerk, Clark Co.

12/14 10:55A

IN THE SUPERIOR COURT OF WASHINGTON FOR CLARK COUNTY

ROSE MARIE ROBISON,

Plaintiff,

v.

STELLAR RECOVERY, INC., a Florida
corporation doing business in the state of
Washington, ERC d/b/a ENHANCED
RECOVERY COMPANY, LLC, a Delaware
Limited Liability Corporation doing business
in the state of Washington, John Doe 1, John
Doe 2, John Doe 3,

Defendants.

Case No.

16 2 02519 0

SUMMONS

TO: Defendants above named:

A lawsuit has been started against you in the above entitled Court by ROSE MARIE ROBISON, Plaintiff. Plaintiff's claims are stated in the written Complaint, a copy of which is served upon you with this Summons.

In order to defend against this lawsuit, you must respond to the Complaint by stating your defense in writing, and serve a copy upon the person signing this Summons within twenty [20] days after the service of this Summons if served within the State of Washington, or within sixty [60] days if served outside the State of Washington, excluding the day of service, or a default

1 judgment may be entered against you without notice. A default judgment is one where Plaintiffs
2 are entitled to what is asked for because you have not responded. If you serve a Notice of Appea-
3 rance on the undersigned attorney, you are entitled to notice before a default judgment may be
4 entered.

5
6 You may demand that the Plaintiffs file this lawsuit with the Court. If you do so, the
7 demand must be in writing and must be served upon the person signing this Summons. Within
8 fourteen [14] days after you serve the demand, the Plaintiffs must file this lawsuit with the Court,
9 or the service upon you of this Summons and Complaint will be void.

10 If you wish to seek the advice of an attorney in this matter, you should do so promptly so
11 that your written response, if any, may be served on time.

12 This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State
13 of Washington.

14
15 DATED this 11 day of December, 2016.

16 CARON, COLVEN, ROBISON & SHAFTON, P.S.

17
18
19 By: 

20 William D. Robison, WSB #13766
Of Attorneys for Plaintiff

21 **FILE RESPONSE WITH:**

22 Clerk of the Superior Court
23 Clark County Superior Court
24 1200 Franklin
25 Vancouver, WA 98660
360-397-2292

SERVE COPY OF RESPONSE ON:

William D. Robison
Caron, Colven, Robison & Shafon
900 Washington Street, Ste. 1000
Vancouver, WA 98660
360-699-3001

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RECOVERY COMPANY, LLC, a Delaware
Limited Liability Corporation doing business
in the state of Washington, John Doe 1, John
Doe 2, John Doe 3,

Defendants.

Case No. **16 2 02519 0**

COMPLAINT

COMES NOW THE PLAINTIFF AND FOR CAUSE OF ACTION AGAINST THE
DEFENDANTS ALLEGES AS FOLLOWS:

1. ROSE ROBISON is a natural person and is a resident of Clark County,
Washington.

2. At all times material hereto, Mrs. Robison lived alone, she was retired and in her
80's, she had little or no use for internet "data" access. The alleged debt herein arises from the
fraudulent, unfair and deceptive sale of "bundling" to plaintiff by CenturyLink, Verizon and

1 Dish T.V., and the theft of a large quantity of "data" that occurred as a result of the negligence of
2 one or all of those bundlers.

3 3. Defendant Stellar Recovery is a Florida corporation, doing business within Clark
4 County, Washington, with its principal place of business currently at 1327 Highway 2 West,
5 Suite 100, Kalispell Montana 59901.

6
7 4. Defendant Stellar Recovery is a consumer debt collection agency as defined in
8 RCW 19.16 and 15 USC 1692.

9 5. Enhanced Recovery Company, LLC, d/b/a ERC is a Delaware Limited Liability
10 Corporation doing within Clark County, Washington, with its principal place of business in
11 Oaks, Pennsylvania. ERC and Stellar Recovery shared a Post Office box in Oaks, Pennsylvania
12 with different "department numbers". Plaintiff believes and alleges that ERC and Stellar
13 Recovery are connected in some manner such that the knowledge of one should be imputed to
14 the other.
15

16 6. Each John Doe is an agent, principal or employee of Stellar and or ERC.

17 FIRST CLAIM FOR RELIEF

18 WASHINGTON COLLECTION AGENCY ACT (WCAA) VIOLATIONS

19 FEDERAL FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) VIOLATIONS

20 COMES NOW THE PLAINTIFF and restates and re-alleges paragraphs 1-6 above and
21 further alleges as follows:
22

23 7. John Does 1, 2 and 3 are employees of the defendant or defendants and personally
24 performed one or more of the acts described herein.
25

1 8. Verizon Wireless, CenturyLink or Dish TV ("The Bundlers") claim that plaintiff
2 is indebted to them for \$1,030.00. The alleged debt is disputed. Attempts to resolve the debt with
3 the alleged creditors proved impossible to undertake as none is certain who has authority over
4 the debt or can discuss the dispute.

5 9. After attempts to resolve the alleged debt failed, one or more of The Bundlers sent
6 the debt to collection by Diversified Credit Service Inc (DCS).

7 10. Mrs. Robison's attorney notified Diversified Credit Service of the dispute by
8 letter dated April 6, 2015. Nothing further was heard from DCS.

9 11. Plaintiff was next contacted by consumer debt collection agencies: Convergent
10 Outsourcing Inc, North Shore Agency, Sunrise Credit Services, McCarthy Burgess & Wolff,
11 Southwest Credit, defendant ERC, defendant Stellar Recoveries and then again by defendant
12 Stellar Recoveries. Each contact was answered by a written protest of the bill and each time the
13 agency was advised not to contact Mrs. Robison and that the account be noted as disputed.

14 12. In April of 2016 ERC sent a notice to Mrs. Robison at the office of her attorney
15 stating that it was trying to collect the debt. ERC then began calling Mrs. Robison in direct
16 violation of the do not contact demand. On May 2, 2016 counsel for Mrs. Robison sent a written
17 notice to ERC that the debt was disputed and that they were not to attempt to call Mrs. Robison
18 again.

19 13. On October 3, 2016 Stellar Recovery sent a notice of "Account Placed for
20 Collection" to Mrs. Robison at her home address. On October 24, 2016 counsel for Mrs. Robison
21 sent a letter advising Stellar that the debt was disputed and that it was not to contact Mrs.

1 Robison. The letter also noted that Stellar and ERC shared a Post Office box and Stellar was
2 presumed to know of counsel's representation.

3 14. On or about December 1, 2016 Mrs. Robison was notified by a consumer credit
4 protection agency that three accounts had been reported to a consumer credit reporting agency by
5 Stellar Recovery allegedly doing business at three different locations, 1327 Highway 2 West,
6 Suite 100, Kalispell, MT, 1845 US Highway 93 S, Kalispell, MT and 1327 HWY 2 W, Kalispell,
7 MT.
8

9 15. On December 8, 2016 Mrs. Robison received a call from Stellar Recovery on her
10 personal cell phone demanding that she contact them about the account. The phone number
11 appearing on caller ID had a 360 area code indicating it was from Western Washington. Counsel
12 called the number on December 9, 2016 and confirmed the caller was from Stellar, and
13 confirmed that the account they were attempting to collect was the same. In that call counsel also
14 confirmed that Stellar Recovery did not have a location within the area of the 360 area code. The
15 representative of Stellar Recovery denied the address in Oaks, PA had ever been the address of
16 Stellar Recovery.
17

18 16. Stellar and ERC have violated the Washington Collection Agency Act (WCAA)
19 by contacting Mrs. Robison after receiving notice from counsel of his representation and that the
20 debt is disputed, contacting Mrs. Robison in a manner that gives a telephone number falsely
21 indicating that the call is originating in Western Washington in the 360 area code, doing business
22 in a way that their affiliation is hidden so as to allow violation of the WCAA, using three
23 different addresses and reporting a debt three times when reporting a single debt. Each of these
24 violations is also a violation of the Fair Debt Collection Practices Act (FDCPA).
25

17. Plaintiff has been damaged as a result of the above violations.

SECOND CAUSE OF ACTION

COMES NOW THE PLAINTIFF and restates and re-alleges paragraphs 1-17 above and further alleges as follows.

18. A violation of the WCAA is a per se violation of the Washington Consumer Protection Act (CPA) RCW 19.86.010 et seq.

19. Plaintiff has been damaged in her person and property as a result of the violations of the act.

WHEREFORE PLAINTIFF PRAYS FOR THE FOLLOWING RELIEF:

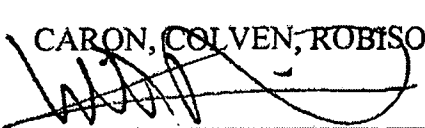
1. Judgment that the defendants have violated the WCAA, FDCPA and CPA.

2. Such damages as are shown to have been suffered, including statutory damages of \$1,000 per violation of the FDCPA against each defendant on each violation for a total of not less than \$15,000, plus attorney's fees and costs.

3. Such other and further relief as may be just and equitable in the premises.

DATED this 12 day of December 2016.

CARON, COLVEN, ROBISON & SHAFTON, P.S.


William D. Robison, WSBA #13766
Of Attorneys for Plaintiff
E-mail: wrobison@ccrslaw.com